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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/870,613	05/31/2001	Scott J. Broussard	AUS920010261US1	1790
35617	7590	11/16/2004	EXAMINER	
CONLEY ROSE, P.C. P.O. BOX 684908 AUSTIN, TX 78768			BONSHOCK, DENNIS G	
			ART UNIT	PAPER NUMBER

2173

DATE MAILED: 11/16/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/870,613

Applicant(s)

BROUSSARD, SCOTT J.

Examiner

Dennis G. Bonshock

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 15 June 2004.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-4,8,10-12,14 and 17-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-4,8,10-12,14 and 17-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)             | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                                    |

**DETAILED ACTION**

***Response to Amendment***

1. It is hereby acknowledged that the following papers have been received and placed on record in the file: Amendment A as received on 6-15-2004.

2. Claims 1-20 have been examined.

Status of Claims:

3. Claims 1-4, 8, 10-12, 14, and 17-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nason, Patent #6,727,918 and Fults et al., Patent #5,327,529, hereinafter Fults.

4. Claims 5-7, 9, 13, 15 and 16 have been canceled.

***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1-4, 8, 10-12, 14, and 17-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nason, Patent #6,727,918 and Fults et al., Patent #5,327,529, hereinafter Fults.

7. With regard to claim 1, Nason teaches a system for providing a second graphical interface with a primary graphical interface (see column 5, lines 18-22), a display (see column 5, lines 33-44), a memory (see column 3, line 65 through column 4, line 3), platform independent components for implementing the system (see column 5, lines 45-

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63), and implementing the system using content and operating software in JAVA (see column 5, lines 60-63). JAVA is known in the art to comprise GUIs such as AWT, a JAVA GUI that is known to rely on the native GUI of the computer on which the application runs, and SWING, a JAVA GUI that runs uniformly on any native platform (see Microsoft Computer Dictionary pages 13 and 505). Nason teaches a peer component for dealing with two different interfaces, however doesn't specifically disclose a peer component that routes the invocations between software components, or the elements being specifically list oriented. Fults teaches, a system of using two different user interfaces in the same application (see column 24, line 38 through column 25, line 10), similar to that of Nason, but further teaches a Generic User Interface Object Library and Controller and Specific User Interface Interpreters that map I/O to the Specific User interface which the application is to be presented to the user in (see column 24, line 38 through column 25, line 10 and figure 21), and further teaches the implementation of the system using lists (see column 5, lines 35-51). It would have been obvious to one of ordinary skill in the art, having the teachings of Nason and Fults before him at the time the invention was made to modify the system of jointly using two interfaces of Nason to include a peer component that routes the invocations between elements of Fults. One would have been motivated to make such a combination because this allows using an interface other than the one that the system expects.

8. With regard to claim 2, which teaches an application program that creates the list data prior to fetching the list from memory, Nason teaches, in column 5, lines 45-51, allocating space for content before creating it.

9. With regard to claim 3, which teaches the list only created once in memory, Nason teaches, in column 5, lines 60-63, the system being implemented with JAVA, which is known the use the SWING API, which is disclosed in the specification on page 31 to obviate the need for a redundant memory array.

10. With regard to claim 4, which teaches an image upon the display being created independent of the operating system, Nason teaches, in column 5, lines 60-63, the system being implemented with JAVA, which is known the use the SWING API, which is a display API that doesn't rely on any native platform.

11. With regard to claim 8, which teaches the system of platform independent software components comprising Java swing API, Nason teaches, in column 5, lines 60-63, the system being implemented with JAVA, which is known the use the SWING API (see Microsoft Computer Dictionary pages 13 and 505).

12. With regard to claim 10, which teaches the platform independent software component is a choice or list control, Fults further teaches, in column 5, lines 35-51, the implementation of the system using lists (see column 5, lines 35-51).

13. With regard to claim 11, which teaches the application program being in java programming language, Nason teaches, in column 5, lines 60-63, the system being implemented with JAVA.

14. With regard to claim 12, Nason teaches a system for providing a second graphical interface with a primary graphical interface (see column 5, lines 18-22), a display (see column 5, lines 33-44), a memory (see column 3, line 65 though column 4, line 3), platform independent components for implementing the system (see column 5,

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lines 45-63), and implementing the system using content and operating software in JAVA (see column 5, lines 60-63). JAVA is known in the art to comprise GUIs such as AWT, a JAVA GUI that is known to rely on the native GUI of the computer on which the application runs, and SWING, a JAVA GUI that runs uniformly on any native platform (see Microsoft Computer Dictionary pages 13 and 505). Nason teaches a peer component for dealing with two different interfaces, however doesn't specifically disclose a peer component that routes the invocations between software components, or the elements being specifically list oriented. Fults teaches, a system of using two different user interfaces in the same application (see column 24, line 38 through column 25, line 10), similar to that of Nason, but further teaches a Generic User Interface Object Library and Controller and Specific User Interface Interpreters that map I/O to the Specific User interface which the application is to be presented to the user in (see column 24, line 38 through column 25, line 10 and figure 21), and further teaches the implementation of the system using lists (see column 5, lines 35-51). It would have been obvious to one of ordinary skill in the art, having the teachings of Nason and Fults before him at the time the invention was made to modify the system of jointly using two interfaces of Nason to include a peer component that routes the invocations between elements of Fults. One would have been motivated to make such a combination because this allows using an interface other than the one that the system expects.

15. With regard to claim 14, which teaches the first platform independent software component being a peer component emulating a platform dependent peer component, Fults further teaches a component that maps the User Interface to a new User Interface

which the application is to be presented to the user in (see column 24, line 38 through column 25, line 10 and figure 21)

16. With regard to claim 17, Nason teaches a system for providing a second graphical interface with a primary graphical interface (see column 5, lines 18-22), a display (see column 5, lines 33-44), a memory (see column 3, line 65 through column 4, line 3), platform independent components for implementing the system (see column 5, lines 45-63), and implementing the system using content and operating software in JAVA (see column 5, lines 60-63). JAVA is known in the art to comprise GUIs such as AWT, a JAVA GUI that is known to rely on the native GUI of the computer on which the application runs, and SWING, a JAVA GUI that runs uniformly on any native platform (see Microsoft Computer Dictionary pages 13 and 505). Nason teaches a peer component for dealing with two different interfaces, however doesn't specifically disclose a peer component that routes the invocations between software components, or the elements being specifically list oriented. Fults teaches, a system of using two different user interfaces in the same application (see column 24, line 38 through column 25, line 10), similar to that of Nason, but further teaches a Generic User Interface Object Library and Controller and Specific User Interface Interpreters that map I/O to the Specific User interface which the application is to be presented to the user in (see column 24, line 38 through column 25, line 10 and figure 21), and further teaches the implementation of the system using lists (see column 5, lines 35-51). It would have been obvious to one of ordinary skill in the art, having the teachings of Nason and Fults before him at the time the invention was made to modify the system of jointly using two

interfaces of Nason to include a peer component that routes the invocations between elements of Fults. One would have been motivated to make such a combination because this allows using an interface other than the one that the system expects.

17. With regard to claim 18, which teaches the platform independent application program being written in JAVA, Nason teaches, in column 5, lines 60-63, the system being implemented with JAVA.

18. With regard to claim 19, which teaches the second software component being a JAVA swing component, Nason teaches, in column 5, lines 60-63, the system being implemented with JAVA, which is known to use the SWING API (see Microsoft Computer Dictionary pages 13 and 505).

19. With regard to claim 20, which teaches the first software component being a peer component, which serves as an interface between the platform dependent invocations of the application program written in Java and the Swing software components, Nason teaches a peer component for dealing with two different interfaces, however doesn't specifically disclose a peer component that routes the invocations between software components, or the elements being specifically list oriented. Fults further teaches a component that maps the User Interface to a new User Interface, which the application is to be presented to the user in (see column 24, line 38 through column 25, line 10 and figure 21).

### ***Response to Arguments***

20. The arguments filed on 6-15-2004 have been fully considered but they are not persuasive. Reasons set forth below.



21. Applicant's arguments with respect to claim 1 have been considered but are moot in view of the new ground(s) of rejection.

***Conclusion***

22. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

23. A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.


24. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dennis G. Bonshock whose telephone number is (571) 272-4047. The examiner can normally be reached on Monday - Friday, 6:30 a.m. - 4:00 p.m.

25. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cabeca can be reached on (571) 272-4048. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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26. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

11-9-04  
dgb



**RAYMOND J. BAYERL**  
**PRIMARY EXAMINER**  
**ART UNIT 2173**